

## **City Council Meeting**

Monday, January 10, 2022 at 6:00 pm

#### **Meeting Location**

320 N Main St. Falls City, OR 97344 (or Web Application, in writing)

### **How to Attend and/or Participate:**

- 1. In Person: 320 N Main St. Falls City, OR 97344
- 2. Web Application: Zoom Webinar https://us06web.zoom.us/meeting/t|wrcu-vqD0pEtPqGn|Ue0 ksbqZ9orwA7ef/ics? icsToken=98tyKuCgqD4sHdKTsxGARow-BI\_4M-3wpiFej7dtmzjrKRVWMjz9JeBFCOtwAs\_x a. Meeting ID: 986 5676 6387

  - b. Passcode: 585730
  - c. You will be muted but may "raise your hand" to indicate you wish to comment during Public Comments.
- 3. Write-In: Using regular mail or email. a. info@fallscityoregon.gov; 299 Mill St. Falls City, OR 97344

The City of Falls City does not discriminate in providing access to its programs, services, and activities on the basis of race, color, religion, ancestry, national origin, political affiliation, sex, age, marital status, physical or mental disability, or any other inappropriate reason prohibited by law or policy of the state or federal government. Should a person need special accommodations or interpretation services, contact the City at 503.787.3631 at least one working day prior to the need for services and every reasonable effort to accommodate the need will be made.

#### 1. CALL TO ORDER & ROLL CALL

Mayor TJ Bailey, Councilor Jennifer Drill, Councilor Amy Houghtaling, Councilor Martha Jirovec, Councilor Tony Meier, Councilor Dennis Sickles, Councilor Lori Jean Sickles

- 2. PLEDGE OF ALLEGIANCE
- 3. ANNOUNCEMENTS, APPOINTMENTS, APPRECIATIONS, & PROCLAMATIONS
- 4. PUBLIC COMMENTS & LETTER COMMUNICATIONS

In order to encourage an environment of openness, courtesy and respect for differing points of view, please refrain from behavior that is disruptive to the meeting such as making loud noises, clapping, shouting, booing, or any other activity that disrupts the orderly conduct of the meeting. Abusive language will not be tolerated.

Please limit your commentary to (3) minutes or less.

#### 5. PUBLIC HEARINGS

Public comment will be allowed in items appearing on the section of the agenda following a brief staff report representing the item and action requested.

#### a. Variance 2021-02: 206 Pine Street

#### **Attachments:**

- VAR 2021-02 SR (VAR\_2021-02\_SR.pdf)
- Exhibit A- Application (Exhibit A- Application.pdf)
- Exhibit B- Site Plan 1 (Exhibit B- Site Plan 1.pdf)
- Exhibit C- Site Plan 2 (Exhibit C- Site Plan 2.pdf)
- Exhibit D- Narrative (Exhibit\_D-\_Narrative.pdf)

#### 6. CONSENT AGENDA

a. Approval of Departmental Year to Date Statements

#### **Attachments:**

- Admin Budget (Admin.pdf)
- Parks Budget (Parks.pdf)
- Sewer Budget (Sewer.pdf)
- Street Budget (Street.pdf)
- Water Budget (Water.pdf)

#### 7. REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS

- a. Election of Council President
- b. Mayor's Report
- c. Parks & Rec Committee Report
- d. Public Works Committee Report
- e. Historic Landmark Committee Report

#### 8. REPORTS FROM CITY MANAGER AND STAFF

a. Falls City Fire Report

#### **Attachments:**

- Council Agenda Fire Bond Levy 1-10-2022 (Council\_Agenda\_Fire\_Bond\_L evy\_1-10-2022.docx)
- Council Agenda New Truck 1-10-2022 (Council\_Agenda\_New\_Truck\_1-10-2022.docx)
- Council Agenda SWF calls reimbursement 1-10-2022 (Council\_Agenda\_ SWF\_calls\_reimbursement\_1-10-2022.doc)
- Monthly Fire Stats (FIRE Council report for jan 22 council mtg.docx)
- b. Polk County Sheriff's Report
- c. Falls City Public Works Report
- d. City Manager Report

#### **Attachments:**

- ARPA Expenditures (ARPA Money Expenditures 2021.docx)
- Property Sale of 139 Sheldon Ave (2022.1.10 Staff Report Land Sale to

- \_Falls\_City\_from\_Polk\_County.docx)
- 139 Sheldon Ave Property Map (139\_Sheldon\_Ave.\_Property\_Map\_Attach ment\_A.pdf)
- **City Manager's Report** (2022.1.10\_Monthly\_Manager\_s\_Report.docx)

#### 9. RESOLUTIONS

a. Resolution 1-2022

#### **Attachments:**

- Resolution 1-2022 Staff Report (Res\_1-2022\_SR\_Monthly\_Sewer\_Rates.do cx)
- **Resolution 1-2022** (Res\_1-2022\_Monthly\_Sewer\_Rates.docx)

#### 10. GOOD OF THE ORDER

#### 11. ADJOURN

Posted for Public at Frink's Hardware, City Hall, Community Center, Falls City Website

Contact: Jeremy Teal, City Recorder (jteal@fallscityoregon.gov 503-787-3631) | Agenda published on 01/06/2022 at 12:53 PM

#### STAFF REPORT

VARIANCE 2021-02 (File #VAR 21-02)

STAFF REPORT: JANUARY 3, 2022

CITY COUNCIL HEARING DATE: JANUARY 10, 2022

APPLICANT/OWNER: Forrest Allred

**ZONING/COMP. PLAN** 

**DESIGNATION**: Residential (R)/Residential (R)

**LOCATION**: 206 Pine St.

SIZE: 0.25 acres

**TAX LOT**: 8 6 21CA, Lot 600

**CRITERIA**: Falls City Zoning and Development Ordinance 3.202

**EXHIBITS**: Exhibit A: Variance Application

Exhibit B: Site Plan 1- Side View Exhibit C: Site Plan 2- Aerial View Exhibit D: Applicant's Narrative

#### I. REQUEST

The applicant is requesting a variance from the dimensional standards of FCZDO Section 2.207.B.1 requiring a 20-foot front setback. The applicant is requesting that the required variance be reduced to 10 feet to allow the development of a single-family residence on the subject property.

#### II. PROCEDURE

According to the Falls City Zoning and Development Ordinance (FCZDO), Subsection 3.102.C, the City processes Variance applications as Type III actions. FCZDO section 3.105 explains the procedures for Type III actions. In accordance with FCZDO section 3.105, notice of the Variance application and hearing mailed to property owners within 250 feet of the subject property on December 20, 2021. The applicable criteria upon which Variance applications are reviewed are found under Falls City Zoning and Development Ordinance 3.202.

#### III. APPEAL

The decision of the City Council shall be the final land use action on the application unless appealed to the Land Use Board of Appeals (LUBA).

#### IV. BACKGROUND

On Site. The site is currently vacant/undeveloped. There is a large slope running East to West across the subject property, limiting potential development on the site.

Surrounding. The subject property abuts properties zoned residential to the East and West, properties zoned Commercial across Pine St. to the South, and the Falls City Elementary School site zoned Public to the North.

#### V. REVIEW STANDARDS AND CRITERIA

FCZDO section 3.202.E. states, "The Planning Commission may allow a variance from a requirement or standard of this Ordinance after a public hearing conducted in accordance with the review procedures, provided that the applicant provides evidence that the following circumstances substantially exist. Approval shall not be granted unless each of these criteria is met.

A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of this Ordinance, topography, or other circumstances substantially exist.

FINDINGS: The requested variance is to a dimensional standard listed in FCZDO Section 2.207 requiring a 20-foot front setback. The subject property has a significant slope running from East to West across the property approximately 45 feet from the front property line. The applicant is unable to construct a house of reasonable size without encroaching into the front setback. This is a topographical circumstance that does not apply to other properties in the same zone or vicinity. Staff finds criterion 1 is met.

B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or zone.

FINDINGS: Other properties in the Residential zone do not have the significant slope running through the middle of the site. Because the subject property has frontage on Pine St., the applicant is forced to develop the property on the front of the property in order to maintain access. Due to the location of the slope, the the size of the developable portion of the property is restricted. Staff finds that in order for the applicant to develop his property as permitted by the standards of the R zone, a variance is necessary.

C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, or otherwise conflict with the objectives of any City plan or policy.

FINDINGS: The reduction of the front setback from 20 feet to ten feet will not be materially detrimental to properties in the area. The 10-foot setback maintain allowance for the development of a driveway and adequate separation from the Pine St. ROW. There is room within the existing 60 foot Pine St. ROW for future pavement, curb and gutter, and sidewalk improvements.

D. That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.

FINDINGS: The application is based upon the location of the slope, not on knowing negligence or violation of the ordinance. Staff finds that the attached justification is sufficient evidence that the location of the hill provides a significant barrier to development of the 32-foot long residence approved under BP 21-17.

E. The variance requested is the minimum variance which would alleviate the hardship.

FINDINGS: The city has received and approved a building permit application (BP 21-17) for the single-family residence. After approval of the building permit, the applicant realized that the proposed residence would not fit in the area identified on the site plan submitted as part of the building permit application. The submitted variance is to amend the approved site plan to allow for development of the proposed home, which is 32 feet in length measured from the front property line.

- F. Strict adherence to the requirement or standards is unnecessary because the proposed variance will reasonably satisfy both of the following objectives:
- a. Grant the variance will not create significant adverse effects to the appearance, function or safety of the use on the subject property; and
- b. Granting the variance will not impose limitations on other properties in the area, including uses which would be allowed on vacant or underdeveloped sites.

FINDINGS: Staff finds that the front setback reduction will have no detrimental effect on the safety, appearance, or use of the subject property.

G. Approval of the application does not conflict with policies and objectives of the Comprehensive Plan.

FINDINGS: Staff finds the approval of the Variance application would not conflict with the policies and objectives of the Falls City Comprehensive Plan.

#### VI. SUMMARY FINDINGS, RECOMMENDATION, AND CONDITIONS OF APPROVAL

Based upon the findings contained in the staff report, staff recommends approval of the proposed variance with the following condition:

- 1) The applicant shall receive modified building permit approval from both Falls City and Polk County prior to the development of the proposed home on the subject property.
- 2) If any grading work to the hill located in the rear of the property is needed, the applicant shall submit a geotechnical report and topographic survey for review by the City Engineer.

#### VII. SAMPLE CITY COUNCIL ACTION

- A. Adopt the findings in the staff report and approve Variance 2021-02 with conditions.
- B. Deny Variance 2021-02 and state how the submitted application does not meet the applicable approval criteria.

C. Postpone or continue the public hearing to a time certain, or indefinitely (considering the 120-day limit on applications).

City of Falls City	File #
Land Use Application	Date Rec'd:
11	Fee Paid:
	Receipt No.:
	Rec'd By:
	Rec d By
Type 1-A Action:	
Access Permit	Type IV Action:
Home Occupation Permit	
Property Line Adjustment	Annexation
Manufactured Home Placement Permit	Zone Change
Sign Permit	Comprehensive Plan Map Amendments
Certification of Appropriateness (COA) (Historic Preservation Officer)	involving more than five (5) adjacent land owners
(Historic Frescrivation Officer)	Owners
Type 1-B Action:	<u>Other</u>
Flood Plain Development Permit	Pre-Application Conference
Site Design Review	Tre ripplication conference
Temporary Hardship Dwelling	
Partitions	
Property Line Adjustments with Discretion	
Type II Action:	
Code Interpretation (standalone application)	
Modification to Approval	
Partition Plat Modification	
2 *******************************	
Type III Action:	
Comprehensive Plan Map Amendments	
involving 5 or fewer adjacent land owners	
Conditional Use Permit	
Manufactured Home Park	
Planned Unit Development	
Subdivision	
X Variance	
Non-Conforming Use	
Certificate of Appropriateness (COA	
(Historic Landmark Commission)  Designation of a Historic Resource to the	
Local Landmark Register	
Removal of a Historic Resource from the	

Local Landmark Register

Applicant(s) FO	RREST ALLRED	Telephone:	503-689-7398	_
Address: <u>9895 st</u>	unnyview rd ne Salem, OR 97317	•		_
Owner(s): Forrest	and Nicole Allred	Telephone: 503	-689-7398	_
Address:9895 S	Sunnyview rd ne Salem 97317			
Engineer/Surveyor:	:	_ Telephone:		_
Address:	ion		***************************************	<del></del>
Map Page and Tax	Lot No.: 3101	Zone:	R	
Location:				
Legal Description:	No legal address			
Existing Zoning/Co	omprehensive Plan Designation:			_
Current Use/Structu	ures:No current use			
Proposed Use:	Construct residence			
				-
Surrounding Uses:	North:			-
	South:			
	East:			
	West:			_
Acreage of Site:0	).34			
Number/Size of Ne (Attach site map, if	ew Lots or Parcels:			
Natural Features/H	azards of the Subject Site:			_
Public Utility Provi	iders (gas, electric, water, sewer	, telephone):		
Easements:	NA			
(A a maganda d in 41 -	office of the County Clark	Volume a	and Page Number	_
(As recorded in the	office of the County Clerk)			

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SUBMITTAL REQUIREMENTS: Please see the Falls City Zoning and Development Code for a list of the submittal requirements for each type of land use application.

All land use applicants shall be charged the ACTUAL COST to the City of Falls City of rendering a decision on their land use application. Cost shall include but not be limited to: contract planning services, City of Falls City staff time, city attorney time, cost of supplies, printing, legal notices, stamps, and city engineer time spent on reviewing the application.

The applicant will be required to pay the amount set by the ordinance. When a final decision is rendered by either staff or City Council the city will send a final invoice to the applicant. Building permits will not be issued until the land use fees are paid in full to the city.

In the event an applicant chooses to withdraw an application prior to a final decision being made, the cost as set forth by the ordinance or the actual cost, whichever is greater, must be paid in full.

I certify that I have read, understand, and agree to the char	ges outlined above:		
Lowest alled	11/23/21		
Applicant(s) Signature	Date		
Mar alle	11/23/21		
Applicant(s) Signature	Date		
We, the following:			
Name: Forrest and Nicole Allred		Telephone:_	503-689-7398
Address: 9895 sunnyview rd ne salem 97317			
Being the owner(s) of record or contract purchasers of the City Planning Commission and/or Council for permission See attached letter for request.		• •	
The applicant(s) shall certify that:  • The request does not violate any deed restriction	ns that may be attache	d to or imposed	upon the subject

- property.
- If the application is granted, the applicant will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- •All of the statements in this application and the statements in the prior plan, any attachments, and exhibits submitted with this application are true; and the applicants so acknowledge that any permit issued, based on this application, may be revoked if it is found that any such statements are false.

Dated this 23 day of newember	, 20 <u>21</u> .	
Furt Ell	Forrest Allred	
Nicela , Ith	Nicole Allred	
Signature of each owner of the subject property	Print name after signature.	Page 10

### City of Falls City – SITE PLAN FORM

#### INSTRUCTIONS FOR PREPARATION OF A SITE PLAN

Site plan must be **current**, drawn to scale, and **show all property lines**.

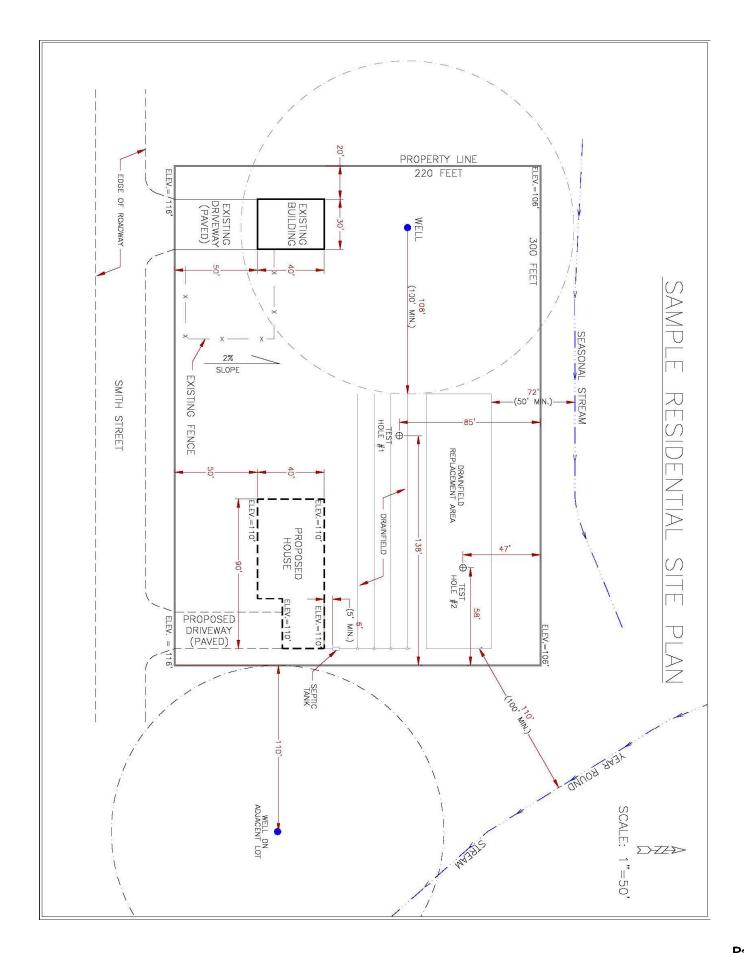
Failure to include all of the items listed below may delay the review necessary to obtain a permit

ITEMS THAT MUST BE SHOWN ON YOUR SITE PLAN:		
□ 1. NORTH ARROW.		
2. SCALE OF DRAWING.		
□ 3. STREET NAME accessing the parcel.		
☐ 4. ALL PROPERTY LINES AND DIMENSIONS — existing		
☐ 5. DRIVEWAYS, ROADS, INTERNAL ROADS, PARKING		<b>REAS</b> —existing and
proposed and label as "Paved" or "Gravel." Show driveway to		
☐ <b>6. EXISTING AND PROPOSED STRUCTURES -</b> label as	"Proposed" and "Existing".	Include dimensions and
distance to all property lines and other structures.		
☐ 7. UTILITY LINES AND EASEMENTS.		
□ 8. GEOGRAPHIC FEATURES – ground slope and directio	n of slope, escarpments, strear	ms, ponds, or other drainage
ways.		
□ 9. WELLS – existing and proposed on this parcel and adjacer		
□ 10. FENCES, RETAINING WALLS – location of existing a		
☐ <b>11. PARTITIONING</b> (if applicable) – proposed new property	y line shown by dashed lines,	with parcels labeled as
"Parcel 1", "Parcel 2", etc. and proposed parcel sizes.		
☐ 12. SEPTIC SYSTEM and REPLACEMENT AREA – exist	sting and proposed. Show exis	ting septic tank, drain field
lines and distance from structure(s).		
$\ \square$ 13. STORM WATER SYSTEMS OR DETENTION BASI	$\mathbf{NS}$ – show existing and propo	sed.
□ <b>14.</b> CUTS/FILLS – show existing and proposed.		
□ <b>15. ELEVATIONS</b> – at lot corners or construction area and a	<u> </u>	
□ 16. FLOODPLAIN – if applicable, show the boundary of the		
If sanitary sewer service is not available, a septic system mus	<b>t be installed.</b> Include the fol	lowing additional items on
the site plan:		
□ 17. TEST HOLES – show distances between holes and proper		
the initial system installation site, the other in the center of the re		
$\ \square$ 18. PROPOSED SEPTIC SYSTEM AND REPLACEMEN		nk and distance from
structure; show disposal trenches and length, width, and distance	between trenches.	
Commercial development must also include the following:		
☐ 19. FIRE DEPARTMENT ACCESS		
□ <b>20. FIRE HYDRANTS</b> –locations		
☐ 21. HANDICAP ACCESS		
□ 22. LANDSCAPING – existing and proposed landscaping are	eas.	
□ 23. PARKING – lot configuration, number of parking spaces	, and off-street loading area.	
Additional information, such as patio slabs, walkways, roof o	verhangs, etc., may be requ	ired for the issuance of
your permit.	<u>-</u>	
		502 600 7200
Property Owner (s) Name: Forrest and Nicole Allred	Phone:	503-689-7398
Site Address: tax lot 3101 no legal address	City: _ Falls City	Zip Oregon

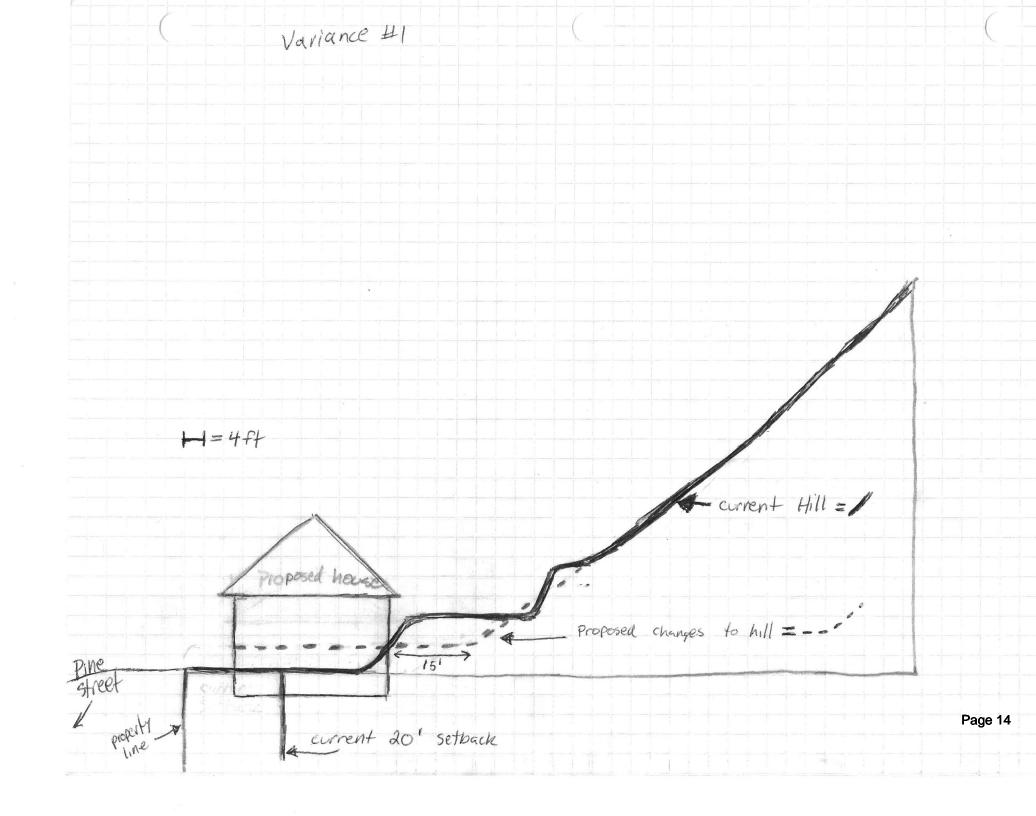
# SITE PLAN MUST SHOW ALL PROPERTY LINES AND DIMENSIONS □ Drawn to Scale: 1 square = XFeet Not Drawn to Scale: Total Acres I certify that the above information is accurate to the best of my knowledge. I AM THE [] Owner or [] Authorized Agent NAME (please print):\_ Telephone #\_ Applicant's Signature: Date: Applicant's Mailing Address: City: \_Zip: \_ FOR OFFICE USE ONLY PLANNING: \_ Date:

Date:

PUBLIC WORKS:



Page 13



Shed /drivency Proposed e shed stonge Proposed Septic Proposed Horse ×4 × 52 Proposed Driveway 7 104 proposel setbrik vavience Page 15 Pine st.

According to the Oregon specialty code, I need to have the face of my structure 15 feet away from the base of the hillside. I would like to apply for a variance to reduce front setback from 20 feet to 10 feet for the following reasons:

- -In order to build my house (32 ft deep) I would have to add an enormous amount of dirt between the base of the hill and my house until there is 15 feet of distance between the face of the house and the hillside, increasing the load against the basement walls and potentially creating problems with cracking in the future.
- I simply do not think there is room to build my house without the variance. Proceeding with any escavation or paying for house plans might simply result in a waste of funds and destroying the usable ground for future use.
- -reducing the setback to 10 feet will give me sufficient room to build my house on the plot without concern of the hill slope or placement.

attached is a diagram of the hill, as well as my proposed changes to the setback.

On the profile picture, the bold line represents the current topogrophy of the land. The dotted line represents escavation to maximize the usable space and flatten the lower part of the property.

I would also like to note that on the south side of the property there is about 25 feet between the physical Pine street road and the edge of my property. This space is not being used at all and has not underground utilities currently.

Reducing the setback would still allow ample space between the house and the roadway.

Forrest Allred

## City of Falls City 01.01 Admin Expense Budget vs. Actual July 2021 through June 2022

	Jul '21 - Ju	Budget
Expense EXPENSES MATERIALS & SERVICES		
Operational Expenses	1,623.49	500.00
Professional Services	33,357.07	9,000.00
Insurance Expense	25,189.04	150.00
Travel/Training/Dues/Statutory	3,826.28	2,500.00
MISCELLANEOUS	85.43	0.00
GRANTS (NON-CAPITAL) '19 DLCD G. Young Grant (Admin) '19 Pac-Pow Grant (Admin) '19 Ford Family Grant (Admin) '19 CLG Hist Grant(Admin)	0.00 0.00 0.00 0.00	1,000.00 6,000.00 10,000.00 12,000.00
Total GRANTS (NON-CAPITAL)	0.00	29,000.00
Total MATERIALS & SERVICES	72,932.43	41,150.00
PERSONNEL SERVICES Worker's Comp Insurance Benefits	16,377.50 3,446.11	300.00 43,260.00
Wages & Salaries	77,838.31	122,570.00
Payroll Expenses	1,307.51	9,270.00
Total PERSONNEL SERVICES	98,969.43	175,400.00
Total EXPENSES	186,922.36	216,550.00
Total Expense	186,922.36	216,550.00
Net Income	-186,922.36	-216,550.00

## City of Falls City 01.03 Parks Expense Budget vs. Actual July 2017 through June 2018

Expense		Jul '17 - Ju	Budget
Maintenance Supplies         560.18         0.00           System Maintenance/Repair         115.50         0.00           Operational Expenses - Other         0.00         1,000.00           Total Operational Expenses         675.68         1,000.00           Professional Services         1,168.39         3,200.00           Equipment O & M         8         4.79         0.00           Vehicle Maintenance/Repair         39.30         0.00         1,000.00           Equipment O & M - Other         0.00         1,000.00         1,000.00           Total Equipment O & M         134.09         1,000.00         1,000.00           Facilities O & M         2,245.32         3,000.00         3,000.00           Insurance Expense         81.67         0.00         0.00           Property & Liability Insurance         563.29         0.00         0.00           Property & Liability Insurance         881.67         0.00         0.00           UTILITIES         318.38         0.00         0.00         2,500.00           Total Insurance Expense         2,116.68         0.00         0.00           Power         1,006.36         0.00         0.00         2,500.00           Total UTILITIES	EXPENSES		
Professional Services	Maintenance Supplies System Maintenance/Repair	115.50	0.00
Equipment O & M   Equipment Maintenance/Repair   94.79   0.00   0.00   1,00	<b>Total Operational Expenses</b>	675.68	1,000.00
Equipment Maintenance/Repair Vehicle Maintenance/Repair Requipment O & M - Other   0.00   1,000.00	Professional Services	1,168.39	3,200.00
Facilities O & M   2,245.32   3,000.00	Equipment Maintenance/Repair Vehicle Maintenance/Repair	39.30	0.00
Insurance Expense	Total Equipment O & M	134.09	1,000.00
Property & Liability Insurance         563.29         0.00           Property Insurance         318.38         0.00           Total Insurance Expense         881.67         0.00           UTILITIES         Water/Sewer         2,116.68         0.00           Power         1,006.36         0.00           UTILITIES - Other         0.00         2,500.00           Total UTILITIES         3,123.04         2,500.00           3rd of July         148.42         2,000.00           Total MATERIALS & SERVICES         9,026.61         12,700.00           PERSONNEL SERVICES         9,026.61         12,700.00           Total PERSONNEL SERVICES         271.14         220.00           Total EXPENSES         9,297.75         12,920.00           Total Expense         9,297.75         12,920.00	Facilities O & M	2,245.32	3,000.00
UTILITIES         Water/Sewer       2,116.68       0.00         Power       1,006.36       0.00         UTILITIES - Other       0.00       2,500.00         Total UTILITIES       3,123.04       2,500.00         3rd of July       148.42       2,000.00         Total MATERIALS & SERVICES       9,026.61       12,700.00         PERSONNEL SERVICES       271.14       220.00         Total PERSONNEL SERVICES       271.14       220.00         Total EXPENSES       9,297.75       12,920.00         Total Expense       9,297.75       12,920.00	Property & Liability Insurance		
Water/Sewer         2,116.68         0.00           Power         1,006.36         0.00           UTILITIES - Other         0.00         2,500.00           Total UTILITIES         3,123.04         2,500.00           3rd of July         148.42         2,000.00           Total MATERIALS & SERVICES         9,026.61         12,700.00           PERSONNEL SERVICES         271.14         220.00           Total PERSONNEL SERVICES         271.14         220.00           Total EXPENSES         9,297.75         12,920.00           Total Expense         9,297.75         12,920.00	Total Insurance Expense	881.67	0.00
3rd of July         148.42         2,000.00           Total MATERIALS & SERVICES         9,026.61         12,700.00           PERSONNEL SERVICES         271.14         220.00           Worker's Comp Insurance         271.14         220.00           Total PERSONNEL SERVICES         271.14         220.00           Total EXPENSES         9,297.75         12,920.00           Total Expense         9,297.75         12,920.00	Water/Sewer Power	1,006.36	0.00
Total MATERIALS & SERVICES         9,026.61         12,700.00           PERSONNEL SERVICES         271.14         220.00           Total PERSONNEL SERVICES         271.14         220.00           Total EXPENSES         9,297.75         12,920.00           Total Expense         9,297.75         12,920.00	Total UTILITIES	3,123.04	2,500.00
PERSONNEL SERVICES           Worker's Comp Insurance         271.14         220.00           Total PERSONNEL SERVICES         271.14         220.00           Total EXPENSES         9,297.75         12,920.00           Total Expense         9,297.75         12,920.00	3rd of July	148.42	2,000.00
Worker's Comp Insurance         271.14         220.00           Total PERSONNEL SERVICES         271.14         220.00           Total EXPENSES         9,297.75         12,920.00           Total Expense         9,297.75         12,920.00	<b>Total MATERIALS &amp; SERVICES</b>	9,026.61	12,700.00
Total EXPENSES         9,297.75         12,920.00           Total Expense         9,297.75         12,920.00		271.14	220.00
Total Expense         9,297.75         12,920.00	Total PERSONNEL SERVICES	271.14	220.00
· — — — — — — — — — — — — — — — — — — —	Total EXPENSES	9,297.75	12,920.00
Net Income9,297.7512,920.00	Total Expense	9,297.75	12,920.00
	Net Income	-9,297.75	-12,920.00

## City of Falls City 13 Sewer Budget vs. Actual July 2021 through June 2022

	Jul '21 - Jun 22	Budget
Income REVENUES	0.00	100 000 00
BEGINNING FUND BALANCE UTILITY REVENUES Sewer Use Utility Late Fee Sewer User Late Fee	0.00 53,560.96 10.00 20.00	100,000.00 110,000.00 3,000.00
Total UTILITY REVENUES	53,590.96	113,000.00
GRANTS '17 CDBG Wastewater (Sewer)	0.00	120,000.00
Total GRANTS	0.00	120,000.00
Total REVENUES	53,590.96	333,000.00
Total Income	53,590.96	333,000.00
Gross Profit	53,590.96	333,000.00
Expense EXPENSES MATERIALS & SERVICES Operational Expenses	357.52	
Professional Services	14,872.55	21,000.00
Equipment O & M	2,429.71	
Facilities O & M	100.00	
Insurance Expense	4,147.46	6,000.00
UTILITIES	1,441.30	5,000.00
<b>Total MATERIALS &amp; SERVICES</b>	23,348.54	32,000.00
CAPITAL OUTLAY Sewer Capital New Sewer '17 CDBG Wastewater (Sewer)	44,095.85	120,000.00
Total New Sewer	44,095.85	120,000.00
Sewer Capital - Other	406.00	
Total Sewer Capital	44,501.85	120,000.00
Total CAPITAL OUTLAY	44,501.85	120,000.00
CONTINGENCY & TRANSFERS Transfer Out Contingency	0.00	62,500.00 92,722.00
<b>Total CONTINGENCY &amp; TRANSFERS</b>	0.00	155,222.00

# City of Falls City 13 Sewer Budget vs. Actual July 2021 through June 2022

	Jul '21 - Jun 22	Budget
PERSONNEL SERVICES Worker's Comp Insurance Benefits	0.00 0.00	2,500.00 7,694.00
Wages & Salaries	0.00	14,348.00
Payroll Expenses	0.00	1,236.00
Total PERSONNEL SERVICES	0.00	25,778.00
Total EXPENSES	67,850.39	333,000.00
Total Expense	67,850.39	333,000.00
Net Income	-14,259.43	0.00

## City of Falls City 11 Street Budget vs. Actual July 2021 through June 2022

	Jul '21 - Jun 22	Budget
Income REVENUES		
BEGINNING FUND BALANCE TAXES & REVENUE SHARING	0.00	180,000.00
State Gas Tax (Streets)	26,932.35	70,000.00
Total TAXES & REVENUE SHARING	26,932.35	70,000.00
GRANTS	0.00	571,520.00
Total REVENUES	26,932.35	821,520.00
Total Income	26,932.35	821,520.00
Gross Profit	26,932.35	821,520.00
Expense EXPENSES MATERIALS & SERVICES Operational Expenses	352.13	3,500.00
Professional Services	1,750.21	8,000.00
Equipment O & M	8,644.66	1,500.00
Facilities O & M	1,099.99	
Insurance Expense	3,664.33	3,400.00
UTILITIES	2,533.97	8,000.00
MISCELLANEOUS	0.00	1,000.00
Total MATERIALS & SERVICES	18,045.29	25,400.00
CAPITAL OUTLAY Street Capital '16 Dutch Crk Grant (Streets) '19 & '20 SCAG (Streets) '20 Safe Routes	226,031.31 0.00 0.00	100,000.00 471,520.00
Total Street Capital	226,031.31	571,520.00
Total CAPITAL OUTLAY	226,031.31	571,520.00
CONTINGENCY & TRANSFERS Contingency	0.00	202,352.00
Total CONTINGENCY & TRANSFERS	0.00	202,352.00

## City of Falls City 11 Street Budget vs. Actual July 2021 through June 2022

	Jul '21 - Jun 22	Budget
PERSONNEL SERVICES		
Worker's Comp Insurance	0.00	1,545.00
Benefits	0.00	7,416.00
Wages & Salaries	0.00	12,360.00
Payroll Expenses	0.00	927.00
Total PERSONNEL SERVICES	0.00	22,248.00
Total EXPENSES	244,076.60	821,520.00
Total Expense	244,076.60	821,520.00
Net Income	-217,144.25	0.00

# City of Falls City 20 Water Operating Budget vs. Actual July 2020 through June 2021

	Jul '20 - Jun 21	Budget
Income REVENUES		
BEGINNING FUND BALANCE UTILITY REVENUES	199,814.00	200,000.00
Water Use Water Connection Fee Back Flow Device Fee	289,799.14 0.00 12,935.02	285,000.00 1,500.00 11,000.00
Utility Late Fee Lot Fee	3,433.14 525.00	2,500.00
Total UTILITY REVENUES	306,692.30	300,000.00
Total REVENUES	506,506.30	500,000.00
Total Income	506,506.30	500,000.00
Gross Profit	506,506.30	500,000.00
Expense EXPENSES MATERIALS & SERVICES	47.000.55	40 500 00
Operational Expenses	17,626.55	12,500.00
Professional Services	9,048.38	18,000.00
Equipment O & M	5,858.43	2,500.00
Insurance Expense	9,000.00	9,000.00
Travel/Training/Dues/Statutory	80.00	3,000.00
UTILITIES Power UTILITIES - Other	2,652.38 1,870.61	4,750.00
Total UTILITIES	4,522.99	4,750.00
Total MATERIALS & SERVICES	46,136.35	49,750.00
CONTINGENCY & TRANSFERS  Transfer Out  Contingency	87,500.00 0.00	87,500.00 176,750.00
Total CONTINGENCY & TRANSFERS	87,500.00	264,250.00
DEBT SERVICE '17 H2O Bond Principal (Water) '17 H2O Bond Interest	0.00 62,462.27	35,000.00 26,800.00
Total DEBT SERVICE	62,462.27	61,800.00
PERSONNEL SERVICES Worker's Comp Insurance	4,715.83	3,000.00

## City of Falls City 20 Water Operating Budget vs. Actual July 2020 through June 2021

	Jul '20 - Jun 21	Budget
Benefits Health Insurance Retirement Benefits - Other	19,472.36 9,195.65 0.00	37,000.00
Total Benefits	28,668.01	37,000.00
Wages & Salaries City Clerk Gross Payroll City Clerk - Other	6,828.80 3,941.15	
Total City Clerk	10,769.95	
Public Works Supervisor Gross Payroll Public Works Supervisor - Other	13,996.42 9,231.55	
<b>Total Public Works Supervisor</b>	23,227.97	
Public Works Worker 1 Gross Payroll	12,923.08	
Total Public Works Worker 1	12,923.08	
Wages & Salaries - Other	0.00	78,200.00
Total Wages & Salaries	46,921.00	78,200.00
Payroll Expenses State Unemployment Tax Expense Social Security Tax Expense Medicare Tax Expense Payroll Expenses - Other	73.20 4,089.74 1,270.31 0.00	6,000.00
Total Payroll Expenses	5,433.25	6,000.00
Total PERSONNEL SERVICES	85,738.09	124,200.00
Total EXPENSES	281,836.71	500,000.00
Total Expense	281,836.71	500,000.00
Net Income	224,669.59	0.00

TO: CITY COUNCIL

FROM: CITY MANAGER FOSCOLI

**SUBJECT:** BOND/LEVY FUTURE

**DATE:** JANUARY 10TH, 2022

#### **BACKGROUND**

LAST FIVE -YEAR BOND LEVY WAS PASSED MAY 15<sup>TH</sup>, 2018, @ \$1.00 PER/THOUSAND

EXPIRES 2022-23 TAX YEAR. BOND PURPOSE: TO PURCHASE NEW BRUSH TRUCK FOR FIRE DEPT.

#### **SUMMARY**

CHIEF WOULD LIKE TO RENEW BOND FOR ANOTHER 5 YEARS, POSSIBLY AT LOWER RATE, TO PURCHASE SECOND BRUSH TRUCK TO REPLACE OLDER ENGINE.

#### **STAFF RECOMMENDATION**

Staff recommends that

#### **PROPOSED MOTION**

Recommend a motion to

#### **ATTACHMENTS**

- Attachment A -
- Attachment B -
- Attachment C -

TO: CITY COUNCIL

FROM: CITY MANAGER FOSCOLI

**SUBJECT:** FUTURE FIRE TRUCK PURCHASE

**DATE:** JANUARY 10<sup>TH</sup>, 2022

#### **BACKGROUND**

Chief is proposing that \$20,000. of the City's first payment of the American Recovery Plan be used as a down payment towards the cost of a new chassis for a new Brush Truck, replacing Engine 122,

and a like payment with the second installment of the ARP, once the City receives the second payment.

#### **SUMMARY**

Engine 122 is old, outdated and needs major repairs that would cost more than the truck's value.

This would replace Engine 122. Chief proposes to purchase a second Brush Truck, just like Brush 123. This would give the Fire Dept 2 trucks that are new, smaller, compact trucks that can carry up to 5 personnel, easily accesses cramped driveways and steep, narrow roads. Like Brush 123, it would be a multi- use apparatus, equipped to answer any medical, or fire call, as well as carry necessary equipment to qualify it for Conflagration Fires.

Responding to Conflagration Fires allows the truck to earn some of it's cost back, saving the City and the Tax Payers money.

#### STAFF RECOMMENDATION

Staff recommends that

#### PROPOSED MOTION

Recommend a motion to

#### **ATTACHMENTS**

Attachment A -

Attachment B -

Attachment C -

TO: CITY COUNCIL

FROM: CITY MANAGER FOSCOLI

**SUBJECT:** SW FIRE CALLS REIMBURSEMENT

**DATE:** JANUARY 10<sup>TH</sup>, 2022

#### **BACKGROUND**

Falls City Fire Dept responding on SW Fire Calls. Possibility for some reimbursement?

#### **SUMMARY**

#### **STAFF RECOMMENDATION**

Staff recommends that

#### **PROPOSED MOTION**

Recommend a motion to

#### **ATTACHMENTS**

Attachment A -

Attachment B -

# FALLS CITY FIRE REPORT FOR MONTHLY ACTIVITIES FOR CITY COUNCIL MEETING JAN. 10TH, 2022

#### **Emergency Calls for December 2021**

Medicals	Fire	MVA (City)	Power Lines	SWF calls	TOTAL FOR DEC 21
11	0	0	1	2-MVA's	
					14

December is always a fun and very busy month for the Falls City Fire Volunteers!

We collected over 62 Giant Bags of Toys for the Toys For Tots Toy Drive we do annually at Walmart in Dallas. We also collected \$650.00 in cash donations which was used to purchase toys for older kids, or to fill in wherever we were short for Santa to deliver.

Several Volunteers from the Fire Dept dress up each year as Santa and Deliver toys in throughout Falls City. Santa also makes up large gift bags to a few families whose kids go to school in Falls City but live in Dallas and would not otherwise receive toys from Santa. This year Santa delivered to 181 children!

Santa and his Elves also deliver "stocking stuffers" to every child in our schools each year.

Christmas Eve day we also packaged and handed out Christmas Cheer Food boxes to 82 families of our Falls City Community to help give them a brighter Christmas and goodies for Christmas dinner.

It takes a lot of "man hours" to complete all of this in a very short time. This year the Fire Dept Volunteers totaled 182 Volunteer hours, just for our Christmas activities. This is above the regular hours we spend each month for meetings, training and drills, and of course Fire and Medic calls. :-)

Thank you for your continued support for the Fire Dept and for all your hours of time and hard work for our Community!

May the New Year bring you all good health and happiness!

Respectfully submitted Sharon Volk Greve Assistant Chief Falls City Fire Dept Cell: (503) 871-5140

ARPA Money Expenditures 2021	Starting Balance	\$117,210.74
Northside Electric – Clinic Electrical work		\$385
COVID Premium Pay		\$14,686.29
	Remaining Balance	\$102,139.45

TO: CITY COUNCIL

FROM: CITY MANAGER FOSCOLI

**SUBJECT:** LAND SALE TO FALLS CITY FROM POLK COUNTY

**DATE:** NOVEMBER 8, 2021

#### **BACKGROUND**

The City of Falls City has been approached by Polk County to purchase a 2.3 acre parcel of land in Falls City that is residentially zoned for \$1.

#### **SUMMARY**

During a recent visit to Polk County offices, the topic of repossessed land within Falls City city limits came up. Polk County is currently the owner of 2.3 acres of residentially zoned land at 139 Sheldon Ave. As this property is within city limits, Polk County is interested in the possibility of transferring its ownership to Falls City. The parcel in question is within 700 feet of the existing sewer system, so it has the potential for future development that would add to between 10-12 single family units or a multifamily complex to Falls City's housing stock. In preparation for the city council's deliberation on whether to accept this offer from Polk County, city staff has approached several affordable housing development organizations to gauge their interest in partnering with the city to strategize on how to develop this land for housing purposes. Polk Community Development Corporation, Mid-Willamette Valley Community Action Agency and United Way are all interested in partnering to bring more affordable housing online for the Falls City community. The affordable housing organizations' willingness to partner to build more affordable housing in Falls City, creates the perfect condition for a transformative project to help Falls City achieve its long-term potential of a vibrant community with a balanced inventory of housing options for its current and future residents.

#### STAFF RECOMMENDATION

Staff recommends agreeing to purchase the 2.3 acre parcel of land at 139 Sheldon Ave. for the price of \$1 from Polk County.

#### PROPOSED MOTION

Recommend a motion to direct the City Manager to agree to purchase the 2.3 acre parcel of land at 139 Sheldon Ave. for the price of \$1 from Polk County.

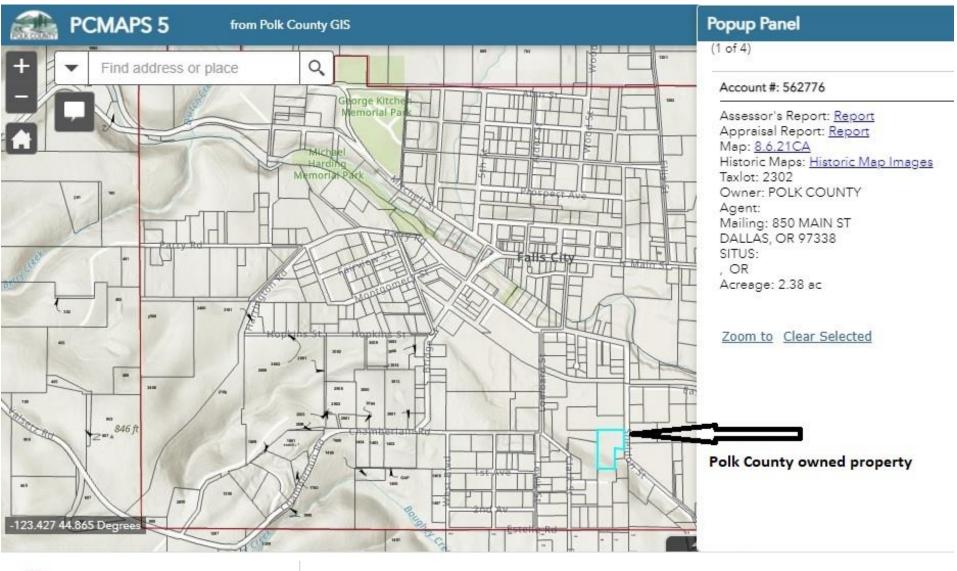
#### **ATTACHMENTS**

Attachment A – 139 Sheldon Ave. Map

Attachment B – 139 Sheldon Ave. Market Value Assessment

Attachment C – 139 Sheldon Ave. Tax History

#### **ATTACHMENT A**





City of Falls City 299 Mill Street Falls City, OR 97344 Ph 503.787.3631

### City Manager's Report January 10, 2022

#### Introduction

As we have moved into 2022, it feels a lot like 2021. We began last year with some staffing challenges due to turnover in our Public Works worker position, and we're starting 2022 in the same position. This has been a very tough time for many people from a professional standpoint, but it has also been a time of opportunity for qualified individuals to find alternate employment. We're beginning the year with several new faces. It is our sincerest goal to onboard these individuals so that they can assist Falls City carry out all of the vital services that have been entrusted to us by the community. We look forward to introducing all of the new staff to the council at the earliest opportunity.

Wastewater Project – I have been continuing to attend the regular meetings with the multiorganizational team putting together the ultimate application for financing through USDA-RD. Thanks to the approved CDBG grant dollars we will receive for this project, we are moving forward with the Preliminary Engineering Report (PER). This planning document is required by state and federal funding agencies as part of the process of obtaining financial assistance for development of drinking water, wastewater, solid waste, and stormwater facilities. In addition, based on guidance from our state and federal partners, we will apply part of the CDBG funding to pay for USDA's Cultural Resource Survey, and the USDA SEARCH grant to pay for the aforementioned PER. This will ensure that all grant funding options available to the city are applied for eligible portions of the project, in order to meet all state and federal requirements. Once these milestones are completed, the project will move out of the design phase into the construction phase with a bidding process aimed at the next construction cycle. The work to complete the required assessments for USDA's RD funding has begun in earnest and is proceeding according to plan. Our city's contract engineers are overseeing these tasks with their subcontractors and are keeping all of the funding agencies appraised of their progress at the monthly meetings. Based on the current timetable, the next milestone is for the PER to be completed in early 2022, for submission to USDA for their review.

In a related note, I will be going in front of the Polk County Board of Commissioners to request ARPA funding assistance for the wastewater treatment facility project during Q1 of 2022. to encompass the entire city was met with support from the board. The next steps will be to identify (through ARPA regulations) whether Polk County will use the funds to directly pay for the engineering work benefiting Falls City, or to pass the funds to the engineers through Falls City.

<u>Luckiamute Clinic Business Space</u> — We are continuing to deal with the heating and electrical issues have been brought to our attention by tenants. City Hall is now working on ensuring proper power and heating service to the building through bids with vendors. The timeline for parts and materials have been pushed out to mid-spring due to COVID-related disruption in the supply chain. We are working to expediate the process to the best of our ability.

<u>Code Enforcement & Municipal Court –</u> No update on when Dallas will be able to resume the Code Enforcement contract at this time.

<u>Towing Services</u> – No update on this at this time.

<u>Emergency Escape Routes out of Falls City –</u> No meeting has occurred yet, so there is no update on this at this time.

Sincerely,

AJ Foscoli

#### STAFF REPORT

**TO:** HONORABLE MAYOR, AND CITY COUNCIL

FROM: CITY MANAGER, AJ FOSCOLI

**SUBJECT:** SEWER RATE STUDY & USER RATES

**DATE:** 1/10/2022

#### **BACKGROUND**

The City's Sewer Rate Study Consultant, Steve Donovan, in 2020 presented the findings of his study to the council and made recommendations for short and long-term rate adjustments to support the construction of a new wastewater treatment facility. These rate adjustments have to be made on an annual basis. The increase that should have occurred in July was postponed as the city of Falls City was working with Polk County to understand if ARPA funding could be applied to fund the new wastewater treatment facility. Though that process is ongoing, as far as the amount that Polk County can contribute to support the project, the council must at this time vote to increase the sewer rates to be in line with the overall cost.

#### **SUMMARY**

In 2017, the City was awarded a Community Development Block Grant from the Department of Housing and Urban Development. The grant is purposed to provide the design, engineering, and environmental study necessary to replace the City's current "slow sand filter" sewer treatment facility with a lagoon style system. The new system will achieve the twin aims of getting effluent off the High School Football field, and position the city to expand the system to the south side of town in order to create economies of scale.

The 2017 CDBG-HUD grant provided funding for a sewer rates study to determine how to fund the construction of the new system. The city is currently eligible for approximately \$2.1 million in additional CDBG-HUD funding. However, the construction of the lagoons and acquisition of the necessary property will cost approximately \$4.2 million, leaving a gap of at least \$2 million.

In early 2020 the City engaged with Donovan Enterprises, a well-known and highly respected firm with a long history of conducting high quality utility rate studies. The City's consultant, Steve Donovan, conducted the study and provided the council with his findings/proposed next steps for funding the new system.

#### RELEVANT COUNCIL ACTION

Rates reviewed and changed in July 2020.

#### STAFF RECOMMENDATION

Adopt the rate increase as presented in the resolution.

#### **PUBLIC HEARING ON RATE INCREASE: ORS 294.160**

<b>Mayor:</b> This public Hearing is an opportunity for any member of the public to comment on or make requests regarding the proposed resolution increasing user rates for sewer service.
I will open the public hearing for raising the City service fees atpm.

Public Comments;

I will close the Public Hearing for raising City service fees at \_\_\_\_\_\_pm.

#### **EXHIBIT**

A- Sewer Rate Schedule from Donovan Enterprises Presentation

B- Resolution 1-2022

#### PROPOSED MOTION

I move that the City Council of Falls City adopt Resolution 1-2022, A RESOLUTION ADOPTING NEW MONTHLY SEWER RATES ON JANUARY 10, 2022

#### **RESOLUTION 1-2022**

#### A RESOLUTION ADOPTING NEW MONTHLY SEWER RATES ON JANUARY 10, 2022

**WHEREAS,** the City Council of Falls City realizes the need to establish fair and equitable sewer rates and charges; and

WHEREAS, the City of Falls City has not adjusted sewer rates and charges since 2020; and

**WHEREAS,** the City of Falls City has started a master planning effort for the wastewater collection and treatment system that will call for the relocation and replacement of the City's wastewater treatment works at substantial cost to the City and its sewer ratepayers; and

**WHEREAS, t**he City of Falls City was awarded a Community Development Block Grant to fund the design and planning work related to new wastewater treatment works; and

WHEREAS, ORS 294.160 requires a public hearing before fees can be increased; and

**NOW THEREFORE,** THE CITY OF FALLS CITY RESOLVES AS FOLLOWS:

Section 1. The City of Falls City hereby adopts the following sewer rates by categories. The referenced monthly sewer rates will go into effect on January 10, 2022.

Service Category	Flat Monthly Rate	
Residential (RS1)	\$57.65	
Commercial (CM1)	\$57.65	
Apartments (APT) each unit	\$57.65	
Elementary School (ELE)	\$354.67	
Falls City High School (FHS)	\$354.67	

ADOPTED BY THE FALLS CITY COUNCIL ON THIS 10th DAY OF JANUARY, 2022.				
VOTE:	AYE	NAY	ABSTAIN	ABSENT
TJ Bailey, M	ayor		 Date	
ATTEST:	. City Recorder		 Date	